

05-29-01

A

UTILITY PATENT APPLICATION
TRANSMITTALAttorney Docket No.
First Named InventorB45082D1
Rentier, et al.

New nonprovisional applications under 37 CFR 1.53(b)

"EXPRESS MAIL CERTIFICATE"

EXPRESS MAIL MAILING LABEL NUMBER EL737870980US DATE OF DEPOSIT: 25 May 2001

I hereby certify that this paper or fee and the papers indicated as being transmitted herewith are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date and with the Mailing Label Number indicated above and addressed to: The Assistant Commissioner for Patents, Box Patent Application, Washington, D.C. 20231.

NAME OF PERSON MAILING PAPER OR FEE
(TYPE OR PRINT) Sabeir A SmithSIGNATURE Sabeir A SmithJUN 05 2001
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APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to Deposit Account No. 19-2570
- ☒ General Authorization to charge any and all fees under 37 CFR 1.16 or 1.17, including petitions for extensions of time, relating to this application. (37 CFR 1.136(a)(3))
(Submit an original, and a duplicate for fee processing)

2. ☒ The total fee is calculated as shown below:
- | | |
|--|-----------------|
| Basic Filing fee | \$710.00 |
| Total Claims 9 - 20 = 0 x \$18 | \$ 0.00 |
| Independent Claims 3 - 3 = 2 x \$80 | \$ 0.00 |
| <input type="checkbox"/> Multiple Dependent Claim present. \$270 | |
| TOTAL FILING FEE | \$710.00 |

- ☒ Cancel in this application original claims 1 to 12 of the prior application before calculating the filing fee.

- ☒ Charge \$710.00 to the above indicated Deposit Account.

- 3a. ☒ Specification excluding Drawings [Total Pages] 18
- 3b. ☒ Abstract on a separate sheet [Total Pages] 1

4. ☒ Drawing(s) (35 USC 113) [Total Sheets] 4

5. ☒ Declaration and Power of Attorney [Total Pages] 2

- a. ☒ Newly executed (original or copy)
- b. ☒ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 17a completed)
- c. ☐ Unsigned Declaration

[Note Box 6 below]

- i. ☐ DELETION OF INVENTOR(S)

Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).

6. ☒ Incorporation By Reference (useable if Box 5b is checked)

The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 5b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

7. ☒ The Title of the Invention:
Vaccines Against Varicella Zoster Virus Gene 63 Product
8. ☒ Nucleotide and/or Amino Acid Sequence Submission
- a. ☐ Computer Readable Copy
- b. ☐ Paper Copy (identical to computer copy)
- c. ☐ Statement verifying identity of above copies
- d. ☐ Use the identical computer-readable form filed in Application No. _____, filed _____ as the computer-readable form for the instant application. (37 CFR 1.821(e))

ACCOMPANYING APPLICATION PARTS

9. a. ☐ Information Disclosure Statement (IDS)
- b. ☐ PTO-1449
- c. ☐ Copies of all IDS Citations

10. ☐ Assignment Papers (cover sheet & document(s))

11. ☒ Prior Application is Assigned to:
SmithKline Beecham Biologicals s.a. and University of Liege
(for continuation/divisional with Box 17a completed)

12. ☒ Preliminary Amendment [3]

13. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)

14. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)

15. ☒ Transfer all references cited by Applicants or by the Examiner from the parent Application Serial No. 09/117,711 filed August 4, 1998. A PTO-1449 listing the references is enclosed.

16. ☐ Other: _____

17. ☒ Priority Information, check appropriate box and supply the requisite information

- a. The accompanying application is a ☐ Continuation ☒ Divisional ☐ Continuation-in-part (CIP)
of prior application No. 09/117,711 filed August 4, 1998.

- b. ☐ Benefit is claimed under Title 35, United States Code, Section 119(e) of the following Provisional Applications:
Application No. _____ filed _____

- c. ☒ Please amend the specification by inserting before the first line the sentence: (37 CFR 1.78)
This is a divisional of application Serial No. 09/117,711 filed August 4, 1998; which is a 371 of International Application No. EP/PT/EP/7005520 filed 04 February, 1997; which claims priority of Great Britain Application Nos. GB 9602617.4 filed 09 February 1996 and GB 9626882.6 filed 24 December 1996.

18. CORRESPONDENCE ADDRESS

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19. RESPECTFULLY SUBMITTED

Signature
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